IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 29TH JUNE, 2007 / 8TH ASHADHA, 1929

WP(C).No. 16856 of 2007(F)

PETITIONER:

K.H.UMMER, S/O.HAMEED, AGED 39 YEARS,
RESIDING AT KURIKKAPEEDIKKA HOUSE,
P.O.CHAZHOOR,THRISSUR.

BY ADV. SRI.P.DEEPAK

RESPONDENT:

THE REGIONAL TRANSPORT AUTHORITY,
THRISSUR.

BY SR.GOVT. PLEADER SRI.BENJAMIN PAUL.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX (WP(C) NO.16856 OF 2007)

PETITIONER'S EXHIBITS:

Ext.P1: Copy of the application for regular permit dtd.24.3.2007.

Ext.P2: Copy of the covering letter dtd.24.3.2007.

Ext.P3: Copy of the proceedings of the respondent dtd.13.4.2007.

-True Copy-

P.A.to Judge.

S. SIRI JAGAN, J.

WP(C) NO. 16856 OF 2007 F

Dated this the 29th day of June, 2007

J U D G M E N T

The petitioner's application for regular permit was adjourned on the ground that there are tax arrears in respect of the vehicle which was earlier being plied, on default in operation of which the petitioner applied for a regular permit in that vacancy. The petitioner is not liable to pay tax arrears on a vehicle with which he had no connection is the contention of the petitioner.

2. After hearing both sides, I am satisfied that the respondent is bound to consider the petitioner's application, notwithstanding the arrears of tax on the vehicle, in the place of which the petitioner has applied for regular permit. Accordingly, there would be a direction to the R.T.A. to consider the petitioner's application for regular permit in the next meeting of the R.T.A., in the light of the above observation.

The writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007